

## THIRD UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

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# SPECIAL PREVENTIVE AND TREATMENT MEASURES FOR YOUNG ADULTS

WORKING PAPER PREPARED BY THE SECRETARIAT

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Topic 6

SPECIAL PREVENTIVE AND TREATMENT MEASURES FOR YOUNG ADULTS
Working Paper prepared by the Secretariat

### I. PREVENTIVE ACTION IN THE CONTEXT OF NATIONAL DEVELOPMENT

- 1. "Youth" is often discussed but seldom clearly defined. When some definition exists nationally, it generally comprises that sector of the population that has attained adolescence but cannot yet be fully identified with an adult way of life, be it seen from the legal, social, psychological or even physiological standpoint. It generally covers that period during which the individual no longer enjoys the protection and the immunities of childhood but has not yet fully experienced the privileges and responsibilities of adulthood. The age limits may vary from country to country, but a 17-24 range has occasionally been accepted, admittedly arbitrarily, as a convenient age bracket for international discussions on policy matters regarding youth preparation for working life, and thus for direct participation in national development1/.
- 2. When the young adult is legally defined in criminal law, the entering age generally begins when the upper age limit for the juvenile court has been reached around 18, but going as low as 15 in some countries or occasionally as high as 20 in others with the possibility of overlapping for certain categories of offenders and offences. The upper age limit may be 20 or 21, and sometimes lower, especially when the upper limit for the juvenile court is low. It may go up to 24 or 25, depending partly upon the measures to be applied.
- 3. Criteria for identifying the "young adult" are to be established by each country on the basis of such factors as maturity, tradition, educational and occupational patterns, etc. The concept of youth may vary over the course of time in relation to changing factors and, indeed, it may vary according to special circumstances or geographical areas in any one country. It therefore appears unfeasible and inappropriate to establish at the international level a single applicable set of limits to identify the "youth" or the "young adult" It is, however, of considerable practical importance for each country to have a commonly accepted standard delimitation of this age group.
- 4. Adult criminality is viewed in terms of individual responsibility, while juvenile delinquency is regarded as behaviour warranting special protective and re-educative measures; the young adult offender is generally seen as occupying a mid-way position which calls for special consideration appropriate to his immaturity and inexperience. National youth policies would benefit considerably if the young adult category were realistically identified in terms of prevailing cultural expectations, personal limitations, social and economic responsibilities, and physiological maturity. It is to be expected that the legal definition would be drawn according to such considerations rather than arbitrarily established on the basis of extraneous factors, least of all a definition adopted in some other specified country.

The Second Ad Hoc Inter-Agency Meeting on Youth, United Nations Headquarters, April 1965; Working Paper prepared by the Bureau of Social Affairs.

<sup>2/</sup> For the purposes of this paper, the two terms are used interchangeably although some distinction is drawn in certain jurisdictions.

- The increased attention paid to youth problems in recent years may be explained and justified in terms of national development. It is now an established fact that an increase in conventional production factors such as the volume of capital, labour or natural resources, is not necessarily matched by a proportionate increase in growth. A significant part of the total growth may be ascribed to a "residual factor"; this is largely the human factor or, more precisely, the improvement in quality of the human factor. In the process of growth, therefore, there is no longer an exclusive preoccupation with quantitative standards based on the volume of physical capital and its productivity in the different sectors; the emphasis has now shifted from physical capital to human resources.
- 6. Thus, new scales of values in development policies have evolved. National expenditure for education, health, housing and social services customarily classified as public consumption expenditure compatible with a concept of human dignity is now coming to be regarded also as an investment that has a far-reaching influence on general productivity. In this connexion it is significant to note the entry of international finance institutions, such as the International Bank for Econstruction and Development and the Inter-American Bank, into the sectors of education, health and town planning.
- 7. It is natural that youth should be regarded as the ideal field of investment at the human level, particularly in view of the prevailing age structures of the population and the increased role which youth is called upon to play in both developed and developing countries.
- 8. From the demographic standpoint, population studies have revealed a pattern of age structures which confers upon youth a predominant status. It is reported, for example, that the under-20 age group in the Middle East constitutes from 40 to 55 per cent of the total population. In Asia, Africa and Latin America, the 10-24 year age group now constitutes roughly one-third of the total population and a significant part of this is made up by the 17-24 year age group. This pattern, which is likely to become even more pronounced in the future, is given added significance by the high percentage of males within the group who may be considered economically active. It is estimated that in the 15-19 year age group, this percentage varies between 68.9 in the developed countries and 81.8 in the underdeveloped countries.

<sup>3/</sup> See in this connexion the Final Report of the International Conference on Youth (Grenoble, 23 August - 1 September 1964), Annex III, Statement by Mr. Phillipe de Seynes, United Nations Under-Secretary for Economic and Social Affairs; UNESCO/ED/211, Paris, 10 November 1964.

<sup>&</sup>quot;Employment Prospects of Children and Young Persons in the Near and Middle East", <u>International Labour Review</u>, Vol. 87, No. 1, January 1963, p. 51.

<sup>&</sup>quot;The Ageing of Populations and its Economic and Social Implications", United Nations Population Study, No. 26, 1956.

- 9. In this rejuvenated world, the young adult is called upon to play a major and important role in the socio-economic development of his country. The newly emerging States depend with confidence upon youth not only to participate actively in national development but also to assume the leadership. The rapid social change taking place in most of these countries has enhanced youth potentialities and increased the limitations of the older generation to play a constructive role in the process of national development.
- 10. As regards the affluent countries, it has often been observed that a technological civilization is necessarily a civilization of young people. These countries can ill afford to ignore the potentialities of youth. In fact, there is a strongly marked tendency to invest in youth with a view to accelerating the pace of technological advance. There is also a tendency to put to good use the younger generation's enthusiasm and energy. In some socialist countries, for example, youth is actively engaged in the execution of development plans. The Report of the 14th Congress of the Union of Young Communists pointed out that 800,000 young patriots guided by Komsomol organizations had taken part in building projects provided for in the Seven-Year Plan of the Soviet Union 6.
- 11. In the developed as well as the developing countries, young adults are thus looked upon as the innovators of a new way of life. They are seen as the strength behind any technological advance or socio-economic development. Should youth fail to display the capability to fulfil this heavy role, or should it shrug off this responsibility, the aspirations of many countries would be dimmed. Should youth pass from apathy and irresponsibility to antagonism and anti-social behaviour, these aspirations would be further dimmed. Society as a whole, moreover, would be saddled with an additional problem against which to struggle, along with its already heavy burden of raising levels of living and providing a decent way of life for all. In the context of national development, the prevention of criminality among youth and the resocialization of the young adult offender thus assume special importance.
- 12. The education and training of young people and their preparation for working life have become matters of primary concern to many Governments. Social programmes are being carried out by governmental agencies with the purpose of enhancing youth's potentialities to play a constructive role within the framework of national plans. Young adults have thus become the main beneficiaries of social programmes. They are being regarded as agents of development and are increasingly being helped to play this role effectively. Some welcome the tendency to give youth programmes the stamp of officialdom while others are of the opinion that this is apt to stifle initiative and discourage voluntary assistance.
- 13. Notwithstanding the substantial investment in youth programmes, the rate of criminality among young adults seems to be a cause for concern. In many countries, statistical data indicate either that crime figures for young adults are alarmingly high, or that there has been a rising trend in the volume of youth criminality. This does not infer that there is any causal relationship between these development

Ouoted in the Report of the International Conference on Youth (Grenoble, 23 August - 1 September 1964), UNESCO/ED/211.

<sup>7/</sup> A/CONF. 26/L.8.

programmes and the rise in young adult offences, since young adults are not always exposed to the same criminogenic influences in society. There is, however, hardly any conclusive research on the basis of which it would be possible to negate such a causal relationship or establish that these programmes have helped to contain within relatively narrow limits the rising trend in adult criminality. Nonetheless, it would be safe to assume that programmes primarily intended to enhance the potentialities of the young adult to play a role as "agent of development" can hardly be considered sufficient in themselves to counteract the factors conducive to criminality among youth. Special preventive measures are called for not only to complement these programmes but also to consolidate the benefits derived therefrom.

- 14. It may well be argued that young people have their needs and requirements (e.g. need for action, affection and self-assertion) which should not be overlooked because of their apparent lack of connexion with the mainstream of economic development. Moreover, when acceding to a new way of life, the young adult is often confronted with a series of social problems which he may not always be able to cope with or resolve. The investment in broad social programmes can hardly be expected to bring good returns unless prerequisite measures are taken to help the young adult cope with these problems. Such measures should protect him as much as possible from the criminogenic influences which surround him during his maturation process.
- 15. Development programmes of which youth is the main beneficiary stand on their own merits because a great number of young adults could undoubtedly draw benefit from them and this, in turn, would redound to the benefit of the country as a whole. In terms of crime preventive action, however, these programmes generally suffer from the weakness that they normally attract and favourably influence the above-average and average young adults, whereas the socially alienated youth who does not find these services particularly appealing will draw little benefit.
- 16. The problem, indeed, is that young adults form such a heterogeneous group that it is hardly possible to expect these development programmes to have salutary effects on all of them. There are those who are ready to devote all their energy to the good of society and who could benefit from any programme intended to enhance and strengthen their capacity to do so. But there are those who are just not disposed to play a constructive role; they are generally a ready prey to passive pleasures and are not likely to turn to account the services extended to prepare them adequately for working life. Again, there are those who are socially alienated and whose behavioural patterns reveal maladjustment tendencies; these young people are more likely to benefit from special measures adapted to their needs and intended to facilitate their readjustment.
- 17. In the face of this heterogenity, the question arises as to the effects of these social programmes in terms of crime prevention. It may be held that it would be erroneous to evaluate these development programmes solely on the basis of their direct effect on those who benefit therefrom, and to ignore the others who are not involved in such programmes. It may even be argued that such development programmes might have deleterious effects as they are likely to widen the gulf already existing between various sectors within the young adult group, by creating a kind of discrimination in their prospects.

- 18. Educational programmes, for example, may raise serious problems insofar as they cannot be provided to the full extent desirable. The same may be said of out-of-school education, vocational training and a series of social programmes for youth which, even when made available to all, are likely to appeal only to certain categories of individuals within the young adult group. These individuals, however, may be precisely the ones who are not generally prone to delinquency. Others, who are not sufficiently qualified or particularly disposed to take advantage of the educational opportunities open to them, may find themselves at a later stage in stiff competition with a privileged group of young adults more qualified, better equipped and having easier access to occupational opportunities. In this technological civilization where automation is displacing manual labour, it would be interesting to know whether the investment in educational programmes may have an invidious impact on those who, for one reason or another, cannot benefit therefrom.
- 19. It may be said that, as long as the young adult honestly competes with others in mounting the social scale, he is not likely to turn to a criminal way of life, irrespective of the progress achieved. The situation is different when young adults are faced with frustration and despair because of a socially structured gap between their aspirations and the means realistically available to them for realizing their aspirations. They may then become over-segregated both culturally and socially.
- 20. The effective inter-action of individuals suffering from "status deprivation" and "low self-esteem" might also lead to a generation of delinquent sub-cultural groups with different sets of social values. Socially segregated young adults might join in to recoup the loss of self-esteem and insulate themselves from further "status punishment". Others, however, might adhere to the group for fun, protection, fellowship or "validation of masculinity".
- 21. An assessment of development programmes for youth cannot be made by subtracting the number of those who turn to criminal behaviour from those who improve their potentialities as agents of development. Such a mathematical calculation would not be valid since the cost of crime is so serious that it is out of proportion to merc numbers of criminals. Indeed, it could be contended that the overall assessment of the benefits derived from youth development programmes cannot fairly be made unless due account is taken of the impact of these programmes on the rate of criminality.
- 22. It follows that while development programmes should be planned so as to prepare the young adult for working life within the context of national development, prerequisite measures should be carried out to counteract the criminogenic influences surrounding youth and facilitate their integration into the community without crisis. A piecemeal approach to the problem would be doomed to failure, since the results achieved would depend largely on the timing of these preventive measures and their co-ordination and interaction with general social development programmes.

<sup>8/</sup> See: What's new in the prevention of youthful offending, Correctional Research, Boston (USA), Bulletin No. 14, November 1964.

- 23. This task of timing and co-ordinating crime preventive measures and social development programmes would be greatly facilitated by adequate planning. The UNICEF Conference on the needs of children and youth in development planning (Bellagio, Italy; April 1964) affirmed the necessity of ensuring that the needs of youth be given adequate consideration in national planning. It recommended that each country, whether or not fully equipped with data and planning machinery, should develop a national policy for youth the ultimate purpose of which could best be expressed in terms of social values rather than in quantitative terms. "In addition to specific targets of development to be achieved during given time periods relating to such material needs as health and nutrition, the national policy should include objectives designed to ensure and strengthen the transmission of fundamental values such as honesty, democratic attitudes, loyalty to home and country, and a deep sense of international understanding and solidarity"2/.
- 24. In view of the interdependence and complementarity of youth programmes, the various departments and agencies entrusted with their execution would greatly gain if some machinery were established to co-ordinate their work and synchronize their action. Indeed, it may be desirable to entrust all matters concerning youth policies and programmes to a single ministry or governmental agency. It would perhaps be appropriate if this agency were to include within its scope the prevention of young adult criminality and the planning and carrying out of special measures to this effect.
- 25. The question may even be raised as to the advisability of entrusting the same agency with control over the rehabilitative measures applied to young adult offenders. The agency would then be expected to carry out development programmes as well as preventive and rehabilitative measures, within the framework of a national youth policy. Its ultimate aim would be to enhance youth's potentialities and channel the energy and enthusiasm of this age group into constructive pursuits.

<sup>2/</sup> Children and Youth in Development Planning, Conclusions of a Round-table Conference held at Bellagio, Italy, 1-7 April 1964; United Nations Children's Fund.

### II. PREVENTION TECHNIQUES

- 26. The malleable character of the young adult may be conducive both to generous impulses and to unthinking violence. It is largely due to impetuosity and impulsiveness that the young adult group is generally more susceptible to deleterious influences than the adult sector of the population. Special preventive measures are thus called for to counteract the criminogenic influences to which youth is exposed. These measures should, however, be carried out within the framework of an overall crime preventive action; it would be futile to expect good results if they were taken independently.
- 27. Theoretically, the best way to prevent young adult criminality is to eliminate its causes. This approach to prevention is, however, hardly practical at the present stage of knowledge; the real causes of criminality among youth are yet to be identified though it may be possible to point out the criminogenic influences and predominant factors conducive to anti-social behaviour.
- 28. It had often been observed that maturation disharmony, particularly when exacerbated by environmental pressures, is a major cause of delinquency among young This disharmony often develops in the form of physical or intellectual precociousness combined with emotional or social immaturity. Despite the progress achieved during recent years in the field of mental health, many questions remain unanswered in any attempt to confirm or negate the validity of this theory of "maturation criminality". Indeed, it may be argued that some degree of "maturation disharmony" is to be expected as part of the maturation process; it would be unrealistic to assume that the physiological, emotional, social and psychological development of the young adult normally takes place in a perfectly synchronized and It may also be observed that the high rate of young adult harmonious fashion. criminality is only among males and moreover that, in traditional societies, youth generally seems to pass through the maturation period without crisis. the problem appears to lie in the criminogenic influences affecting young adults today and in their capacity to resist these influences.
- 29. Amongst the problems which confront youth today, one of the most widespread and pressing is unemployment (including unemployability) and its adverse effects. The rapid social change taking place, particularly in developing countries, raises a series of problems resulting from urbanization, detribalization, new and changing family patterns, social mobility and the loss of identity which runs counter to young people's natural need for self-expression. Many problems arise from technological advances and educational development, particularly when the young adult becomes more knowledgeable than his parents and less inclined to accept their authority. Similar situations may be created when socially immature young adults who have not yet developed a sense of civic responsibility become engaged in remunerative work at an early age.
- 30. The phenomenon of young adult criminality appears thus to be symptomatic not so much of individual maladjustment as of group exposure to deleterious environment pressures. This has led to a marked tendency towards a group approach whereby special preventive measures are aimed at the entire group rather than at individuals.

- 31. The effectiveness of the "group approach" depends not only upon the nature and scope of services rendered but also on the extent to which these services reach all sectors within the young adult group. New prevention techniques have evolved and "multi-purpose programmes" have been conceived by many countries in their attempts to provide a large diversity of services to the greatest possible number of young adults. These programmes generally provide for recreational, educational and training opportunities. There has been some tendency to place emphasis on civic education, particularly in developing countries where tribal and regional conflicts risk hampering national development.
- 32. In Kenya, for example, the National Youth Service, initiated in 1964, helps to eliminate tribal and regional conflicts with a view to promoting national loyalty. Young adults from various regional and tribal groups are provided with an opportunity to develop their sense of civic responsibility and learn how to participate jointly in national development. To this effect, training, working and living units are formed so as to include young adults from various regions and tribes 10.
- 33. In Mali, a civil service scheme was started in 1960 with some 1,500 young adults placed in 37 camps in rural areas. The two-year course begins with three months of training by military officers. The work performed is generally of national importance, e.g. building roads, dams and bridges, as projected in the country's five-year plan. Simultaneously, the youths are trained in modern agricultural techniques. Equipment is very simple, clothing is free and a small monthly allowance is paid. At the end of their service, the young men receive a bonus in the form of agricultural tools 11.
- 34. There exist in other African countries similar schemes known as "workers' brigades" and "national service", many of which have a compulsory nature and involve military-type discipline. Some observers have felt alarmed at the element of compulsion in certain programmes; when the question was taken up at an African Symposium held at Dar-es-Salam in 1962, the participants were generally in favour of methods based on persuasion and encouragement rather than compulsion 12.
- 35. A "reach-out" technique has evolved; the services extended to youth have ceased to be merely "available" and efforts have been made to infiltrate into youth culture and induce the isolated or alienated groups to benefit from these services. The "éducateurs" in France, the "amimateurs" in French-speaking Africa and the "street-corner workers" in the USA are being entrusted with the task of serving as a "social bridge" between isolated or alienated youths and available community services.

<sup>10/ &</sup>quot;Kenya N.Y.S. tailors training to specific objectives". <u>International Volunteer</u>, October 1964, page 6.

<sup>11/</sup> A. Calloway: Unemployment among African School Leavers; 1964.

<sup>12/</sup> Unemployed Youth: African Symposium. <u>International Labour Review</u>, Vol. 87, No. 3, March 1963, pp. 83-205.

- 36. One way of reaching out to young people is to draw up programmes in which they would have a motive to participate on a voluntary basis. In Lebanon, for example, the "movement social" aims to interest young people in socially constructive tasks which would give them a sense of accomplishment and at the same time develop their sense of responsibility. In the Soviet Union, the "youth brigades" take a pride in participating actively in development projects; the Komsomol youth organization has attracted a membership of 20 million and plays an important part in the economic, social and political life of the country 13/.
- 37. Another technique for arousing young people's interest is to associate them in the planning and management of programmes connected with either their work or their leisure time. In France, for example, co-management groups have been established in which representatives of public services and youth organizations take joint decisions affecting young people. This system is given effect in the organization of educational travel and the administration of voluntary work camps \(\frac{14}{}\). The participation of young adults in the planning and execution of such programmes has furthered their preparation for civic life.
- 38. The success or failure of youth programmes largely depends on the extent of their appeal to young people. Should the elements of the programmes be imported from alien cultures, the chances of arousing young people's interest are slender. An example comes from the Cook Islands where, in 1957, a programme of youth centres was initiated with activities imported from alien cultures. The programme turned out to be a failure shortly afterwards. In 1960, however, following a conference on community problems, a revival took place with a growth of youth centres and clubs organized on a self-programming basis and with a minimum of outside leadership. Greater attention was paid to cultural inheritance in crafts, music and dance, and to maintaining a balance between social and educational activities. Several centres have grown up in the main island of Ravotonga, and young people have helped to set up similar groups in the small outer islands. This youth activity is now recognized as a valuable means of self-help, facilitating adjustment to rapid change 15.
- 39. In recent years, there has been some increase in the volume of offences committed by young adults from economically well-off families, particularly in developed countries. This rising trend has sometimes been ascribed to the special environment created by national prosperity, an environment where youth lacks excitement and the challenge of having to struggle for economic survival. For the benefit of that particular sector of youth which requires a challenge and an active way of spending its energy, some attempts have been made to create mobile types of clubs which seek to engage their members in outdoor activities, such as canoeing and mountaineering. The "adventure" programme in Denmark, the "Outward Bound Schools" in Great Britain and the "Kuramoh Waters Camp" schemes in Nigeria may be cited as examples These programmes include endurance and initiative tests as well as graduated activities which are designed to appeal to the sense of adventure, challenge and accomplishment.

<sup>13/</sup> Molodoi Kommunist, No. 4, 1962, p. 2.

<sup>14/</sup> International Conference on Youth (Genoble 1964). Statement made by the French Secretary of State for Youth and Sport.

<sup>15/</sup> T. Muir, Cook Island Youth Clubs, South Pacific Bulletin, Vol.14, No. 3, July 1964.

- 40. In some countries, the field of application of certain preventive schemes is expanded so as to include non-delinquent as well as delinquent young adults. This practice helps to avoid stigmatization and facilitates the social readaptation of young adult offenders. In the United States, for example, the Youth Service Mobilization Corps purposely includes both delinquent and non-delinquent youth. Likewise, in Kenya, a network of community centres offers educational and training opportunities as well as recreational facilities for both delinquents and less alienated but unoccupied youth. The ideal of community service is fostered through such extra-curricular activities as bush-clearing and voluntary service to elderly and infirm persons 16.
- 41. With reference to recreational activities, there has been some tendency to make services sufficiently appealing to awaken the interest of vulnerable groups. In Mannheim (Federal Republic of Germany) and New York (USA), for example, recreational centres have patterned themselves on modern night-clubs, but have avoided harmful influences by adequate supervision and the serving of non-alcoholic drinks. Although many of these centres are run on a commercial basis, the prices of admission and refreshment are nominal. This is made possible through subsidies from the organizations or the official youth departments sponsoring these activities \( \frac{1}{2} \).
- 42. In some countries, attempts have been made to establish programmes which provide recreational opportunities for adults as well as youths. The open nature of such centres and the lack of regulations and membership conditions have been helpful in fostering useful contacts and facilitating the young adults' integration into society.
- 43. It would appear from the foregoing that the prevention techniques which have evolved in recent years reflect a policy based on social action rather than social services, character-building rather than problem-solving, and practical training rather than academic teaching. They also reveal a tendency to expand the coverage of preventive schemes by providing diversified services and using "reach out" techniques in order to arouse young people's interest in these services.
- 44. The effectiveness of such schemes in terms of crime prevention cannot be gauged by statistical data on the volume and trend of young adult criminality, since many other factors are involved. It may be expected, however, that the "social action" approach to prevention would produce better results than the traditional approach primarily based on individualized remedial services.
- 45. That the simple provision of numerous services and facilities to youth has failed to serve the purpose of crime prevention may be substantiated by the upward trend of young adult criminality in many welfare States. The research work carried out in this respect, though limited and sometimes inconclusive, has given further indication that the prevention of young adult criminality is not as responsive to this kind of approach as had been originally hoped and expected.

<sup>16/</sup> G.W. Griffin, The development of youth centres in Kenya, <u>International</u> <u>Labour Review</u>, Vol. 88, No. 1, July 1963.

<sup>17/</sup> A/CONF.26/L.8

- 46. Preventive schemes could greatly help to build up the young adult's character, inculcate in him a sense of civic responsibility, increase his resistance to negative influences, and occupy his energy as well as his adventurous spirit and desire for non-conformity. Such schemes are, however, necessarily transitional in character and need to be complemented by pertinent programmes to help solve the problems which confront the young adult, particularly when entering working life.
- 47. A very serious problem is that of employment, as this is the first experience which the young adult goes through when he is called upon to lead a self-supporting life. In many instances, this problem has had its impact on preventive schemes. In the Congo (Brazzaville), for example, the Civic Service created in 1960 provided a two-year training programme which included civic education, technical training at the artisanal level and participation in construction schemes. When the first graduates completed their course, no employment opportunities were available. The programme had therefore to be converted into a Rural Renewal scheme with the object of creating potential young settlers and rural leaders 18/.
- 48. Likewise, a number of schemes primarily intended to serve such lofty purposes and ideals as national development, patriotism, national defence, and the development of civic responsibility, turned out to be serving the sole purpose of absorbing the very large floating population of unemployed, non-school-going and untrained youth. Those who are attracted to these schemes by their ideals and by the glamour of attractive uniforms, parades and ceremonies, are often disappointed to realize that, in practice, they are teaming up with the unemployed who are there because there is no other place for them in society. The general atmosphere thus deteriorates and youthful enthusiasm cools down. The shortage of well-trained staff complicates the problem even further.
- 49. The solution to the problem may lie not so much in the absorption of unemployed youth by multi-purpose schemes as in the provision of occupational opportunities 19. This solution has yet to be found, particularly in developing countries where the economy does not lend itself to the creation of sufficient work opportunities. The UNICEF Conference on the needs of children and youth in development planning (Bellagio, 1964) pointed out that "many countries foresee a continuation of their grave problems of unemployment and under-employment of youth, even after their prospective plans have been completed, despite all measures currently being undertaken and planned for the future 20.

<sup>18/</sup> Second Ad Hoc Inter-Agency Meeting on Youth, April 1965. Working paper prepared by the Bureau of Social Affairs.

<sup>19/</sup> See A/CONF.26/2, Section IV.

<sup>20/</sup> United Nations Children's Fund. Children and Youth in Development Planning. Conclusions of a Round-table Conference held at Bellagio, Italy, 1-7 April 1964, p. 8, para. 17.

- 50. In an attempt to ease the unemployment problem, some of the developing countries have capitalized on rural development. Efforts have been made to provide agricultural extension training and to adapt village school curricula to agricultural needs. Rural development schemes have been introduced to promote rural self-help and to exploit the potentialities of agriculture which for many years to come will have to provide the main source of occupational opportunities. In Ceylon, for example, ten thousand young men were offered land and assistance in return for work on national development schemes 21.
- 51. These rural schemes will also greatly help to check or at least discourage the unwelcome migration of young adults to towns. It is, however, to be expected that many young migrants will continue to flock to towns in search of job opportunities. Attention might therefore be given to the provision of special facilities such as hostels and other living arrangements for young migrants<sup>22</sup>. In some countries, attempts have been made not only to offer shelter and food but also to help the young migrant to adjust himself to urban living and find suitable employment<sup>23</sup>. It has been suggested in this respect that the entry of young people into trades would be greatly facilitated if apprenticeship standards were less rigidly set. Labour exchanges and special youth placement services could also reduce enforced idleness and help to prevent youths, particularly young migrants, from drifting into morally dangerous occupations.
- 52. The problem of youth employment is also closely linked with that of educational development and is no doubt aggravated by unbalanced educational programmes 24.
- 53. In some of the developing countries, for example, secondary and vocational education facilities have been unable to keep up with rapidly expanding primary education. School-leavers are thus creating a supply of potential young workers which far exceeds the number of occupational opportunities. Recent sample surveys in Ibadan and other principal centres in the Federation of Nigeria reveal that many school-leavers have been unemployed for two or three years, or even longer 25/.
- 54. Conversely, some countries suffer from a surplus of secondary schools, and even university graduates are unable to find suitable employment within existing structures. The rate of unemployment in India is apparently higher among persons who are matriculates than among others, particularly in urban areas. In Ceylon and Pakistan, the unemployment of the educated young has reportedly reached "alarming proportions" 26/

<sup>21/</sup> Employment Prospects of Children and Young People in Asia, <u>International Labour Review</u>, Vol. 88, No. 6, December 1963, p. 593.

<sup>22/</sup> See A/CONF.26/2, Section I.

<sup>23/</sup> Report on family, youth and child welfare; prepared for submission to the Social Commission at its sixteenth session. Draft p. 43. Processed.

<sup>24/</sup> See A/CONF.26/2, Sections IV and V.

<sup>25/</sup> A. Calloway, Unemployment among African school-leavers, 1964. Processed.

<sup>26/</sup> Unemployment and under-employment in India, Indonesia, Pakistan and the Philippines. <u>International Labour Review</u>, Vol. 86, No. 4.

- 55. Another important problem which is often a by-product of inadequate educational planning is that of school drop-outs. Successful programmes for actual drop-outs have included job preparation, training, placement and continued guidance. Attempts have been made in many countries to provide young adults having dropped their education for economic reasons with opportunities to study and work at the same time. In the Soviet Union, for example, certain privileges including a shorter working day or week and paid leave to take examinations are granted to young persons concurrently studying and working 1. In some countries, school-leavers are provided with opportunities to establish large farm settlements on unused tracts of land. Experiments have been initiated in Zambia (formerly Northern Rhodesia), Western Nigeria and the Congo (Brazzaville), whereby villages provide land for their own school-leavers and the Government extends initial support, with a pay-as-you-go policy 28.
- 56. No special measures for the prevention of young adult criminality can be expected to produce good results unless they are carried out by competent staff. It would therefore be of the utmost importance to devise staff training methods which keep pace with the expansion of preventive programmes.
- 57. The prevention of young adult criminality is closely linked with the handling of juvenile delinquents, as demonstrated by the large number of young adult offenders with a juvenile delinquency record. It is also closely related to the efficacy of treatment methods, since the young adult group is known to contribute highly to the recidivism rate. A crime preventive action thus necessarily entails the inclusion of rehabilitative measures intended to prevent both juvenile delinquents and young adult offenders from reverting to a criminal way of life.

<sup>27/</sup> Novaja Sistema Narodnogo Obrazovaya USSR: Sbornik Dokumentov i Statei (The New System of Public Education in the USSR: a collection of documents and articles), Moscow, 1960, p. 60, Radjanska Osvita, 29 May 1963.

<sup>28/</sup> A. Calloway, op. cit.

### III. THE YOUNG ADULT IN THE CORRECTIONAL PROCESS

- 58. Young adult offenders constitute a group which, in many countries, contributes very highly to the national crime rate. The preponderance among youth of certain types of offences (such as crimes of violence and crime against property, particularly car thefts) might be significant in the sense that it probably reflects typical behaviour patterns in the alienated members It may also be indicative of the extraneous factors which of this age group. exert criminogenic influences on youth as a group. The high rate of recidivism among those who have served a sentence during the pre-adult phase casts some doubt on the efficacy of traditional treatment measures and points to the need for special treatment for this age group. All these factors combined have led many governments to provide in their legislation for the special handling of young adults in the correctional process; many others are contemplating legislative changes in this direction. There is, however, much controversy on the matter.
- 59. Those in favour of special handling for this age group hold the view that young adult offenders, though responsible for their actions, may lack the stability and judgement of more mature persons. The malleable character and mobile temperament of youth are regarded as warranting special treatment; this is justified not only because treatment measures would be adapted to their particular condition but also because it would obviate the risk of their association with hardened criminal elements, which is the case in traditional forms of treatment.
- 60. In rebuttal, it has been observed that the special handling of this age group would contradict the principle of individualized treatment for all offenders, a principle based on the specific needs of each offender rather than on his age group. Moreover, it is argued that the application of special treatment measures might imply a lessening of the young offender's responsibility for his criminal act, even though he may be of an age where he is generally considered sufficiently mature to accept economic and civic responsibilities.
- 61. It is also contended that the degree of maturation is difficult to measure because of the different rates of physical, psychological and social development. It is hardly possible to draw a demarcation line between juveniles and youths; likewise, it is hardly feasible to draw a line separating young adults from the adult group as a whole. Within the young adult group, there are those whose behaviour cannot be differentiated from that of juveniles; there are also those whose behaviour can hardly be differentiated from that of adults. Thus, the age limits for the young adult group can only be set arbitrarily.
- 62. Notwithstanding the arguments invoked for and against the singling out of this age group for special treatment, the controversy is perhaps more apparent than real; it would be considerably eased if the special measures advocated for the young adult group were to be clearly delineated.

- 63. Whether or not the specialized and preferential treatment of young adults is justified from the penological standpoint, the reality in many countries today is that only for this group would innovations be afforded or found acceptable by governments and/or the public. If this age group receives preferential treatment, it is partly because the facilities are limited and cannot be provided for all, and partly because government policies and, presumably, public acceptance go no further for the time being. Even if the provision of special facilities for the young adult group were held to be penologically unsound, would it not be possible to accept or even justify this move as a strategic first step towards the introduction of special treatment methods for all categories of offenders?
- 64. It could be argued that many of the procedures and much of the sense of public responsibility prevailing in the field of juvenile delinquency might logically be extended to certain categories and groups of adult offenders, if not to all offenders. Yet few would advocate withholding from juveniles such apparently beneficial measures merely because it would be unfair not to apply them equally to other age groups. A series of extra-institutional or special institutional treatment measures for adults have in fact been envisaged in many countries regarding first offenders or certain categories of offenders (drug addicts, prostitutes), or some types of offences (traffic violations). There is nothing unusual, therefore, in using special treatment measures exclusively for young adults.
- 65. Awareness of the criminogenic influences resulting from abusive arrest procedures and adverse detention conditions has led many governments to apply substitute measures whenever possible 29/. These measures are particularly pertinent in the case of young adults, who are more susceptible than their elders to deleterious influences. In Sweden, for example, there is some tendency to employ the "social branches" of the police for handling young adults.
- 66. Substitute measures for pre-trial detention are also increasingly being applied in the case of young adults. These include referral to an appropriate organization and a good-conduct guarantee from a social agency. In the USA, for example, young adults accused of committing petty offences are referred to the Youth Investigation Bureau rather than being arrested. In the USSR, the young adult's agricultural or industrial collective is often entrusted with the responsibility of his appearance in court. When detention cannot be avoided there is a tendency to separate young adults from older persons and to organize special programmes of activities during the detention period. In Sweden, for example, these programmes include educational or vocational training which may be continued in any subsequent institutional stay.
- 67. In this context, special treatment measures for young adults may be regarded as both welcome and justified even by those who have some reservations as to the special handling of youth, for fear that it may run counter to the principle of

<sup>29/</sup> See: A/CONF. 26/4.

individualized treatment or that it would undermine the concept of responsibility. The real controversy may prove to be among those who are in support of special handling for youth, once the nature of the measures advocated has been defined.

- 68. The question arises as to whether young adults are to be considered as grown-up children or as a separate category of adults whose condition calls for special consideration. There appear to be fundamental differences between the various legislative and administrative practices prevailing in those countries which favour special treatment measures for young adults. With reference to trial procedure, manner of adjudication and nature of treatment, the differences are sometimes strongly marked.
- 69. In some countries, for example, the offenders' youth is considered merely as an attenuating circumstance; the trial takes place in the adult court under normal sentencing procedure, and the choice of treatment is the same as that for adults, except that the treatment measure is generally prescribed for a shorter period.
- 70. In other countries, however, the handling of the young adult is very much inspired by the sense of public responsibility prevailing in juvenile courts. Under such circumstances an individual, even though identified as a young adult offender, is tried by a juvenile court and certain essentials of juvenile court procedure are applied. These include informality, the limitation of publicity and the eradication of any criminal record.
- 71. There appears to be a marked trend, however, towards a mid-way position which allows a great deal of flexibility in the handling of young adult offenders. In the Netherlands, for example, the prosecutor may waive prosecution of a first offender who has not reached the age of civil majority, and refer the case to the juvenile court. In most instances, the young person in question is placed under the supervision of a benevolent association; a "family tutor" assists parents with the young offender's education and, if deemed necessary, recommends placement in an institution30/.
- 72. In Sweden, a minor sent to an approved school prior to the age of penal majority (18) may remain there until he is 23 years old. If he commits a new offence after reaching the age of penal majority, the prosecutor may decide to drop the case if he thinks the previous treatment should be continued. If not, the young adult may be handed over to the prison authorities for placement in an institution31/. In the Federal Republic of Germany, the juvenile court judge has the choice of applying measures under the juvenile law if the offender is regarded as immature and the offence is a youthful transgression; there is however a trend to apply juvenile law to most offenders under 21 years of age.

<sup>30/</sup> European Consultative Group for the Prevention of Crime and the Treatment of Offenders; ST/SOA/SD/Eur.6/Add.1.

<sup>31/</sup> id.

- 73. In some countries, in the USA for example, there are special courts for young adults while in others, such as Finland, there is a special kind of adult court. The latter solution is favoured on the grounds that it avoids such drawbacks as the young adult's reluctance to be considered a child, overcrowded schedules and the shortage of specialized personnel.
- 74. There is much differentiation in the choice of special treatment measures, due account being taken of the nature of the offence and the needs of the offender. Pre-sentence investigation is the key factor to selecting the most suitable type of treatment. In some cases, this involves a period of examination and observation in a special diagnostic centre. In some countries, such investigation is optional and is conducted only when requested by the court. There has recently been a tendency in many countries to follow the juvenile court model by making pre-sentence investigation compulsory for all offenders under 21 years of age. The compulsory nature of the pre-sentence investigation would undoubtedly enhance the value of special treatment, particularly for cases which could result in prolonged commitment.
- 75. It will be noted, therefore, that the trend towards the special handling of the young adult group does not mean the application of stereotyped measures to the whole group; it is rather a choice from a range of special treatment measures which take due account of the group's characteristics. In this context, special measures for the treatment of young adults would not run counter to the principle governing an individualized treatment policy; they could in fact be regarded as a step further in this direction.

### IV. SPECIAL TREATMENT MEASURES FOR YOUNG ADULT OFFENDERS:

- 76. It is generally recognized that the traditional form of imprisonment should be avoided for young adult offenders whenever possible. Nevertheless, prison sentences are frequently passed in many countries, even when other measures could adequately be prescribed.
- 77. Substitute measures are increasingly being used for short-term sentences; in some countries, detention centres have been set up for young adults who cannot be taught to observe the law by milder measures. In the United Kingdom, the detention centres were originally intended to give a "short, sharp shock" for deterrent purposes, but have now ceased to be solely punitive and purport to discharge "a peripheral function suggestive of a reformative outlook". This change in concept has brought about a demand for after-care and for experimental detention centres in open conditions 32/.
- 78. Other short-term detention measures also seem to combine modern and traditional approaches. In the Federal Republic of Germany, for example, <u>Jugendarrest</u> still provides for solitary confinement, although such progressive techniques as group counselling are also employed. In Denmark, use is being made of short-term detention for intensive treatment based on thorough individual examination. In Sweden, the new Penal Code provides for special "probation institutions" where young adults may be detained for a short period before going on probation.
- 79. When long-term institutional treatment is deemed necessary, it is of primary importance that young adult offenders serve their sentence in a special institution or at least a special unit provided for the purpose. Re-educational techniques and therapeutic methods such as group counselling and group therapy have been introduced in youth prisons, borstals, reformatories and other institutions for young adult offenders. The discipline in these institutions is generally firm but flexible. A system of self-government, when established, serves to develop the young adult's sense of responsibility and leadership. Treatment is usually carried out in accordance with a plan based on personality investigation. In Sweden, the inmate's presence at discussions of his treatment plan provides an effective way of ensuring his cooperation.
- 80. The educational nature of treatment in young adult institutions is evidenced by the indeterminacy of the sentence and the possibility of extending the training period after release and even after the offender has reached adulthood. Youth prisons and borstals operate on the principle that sanctions of fixed duration cannot offer adequate possibilities for training and education. In the United Kingdom borstals, post-release supervision is an integral part of the four-year training period. The new penal code of the Soviet Union provides that young persons committed to correctional labour institutions should, upon reaching the age of 18, be considered for parole or be allowed to complete training in the same institution.

United Kingdom, Home Office, Prisons and Borstals, 1963. Report on the Work of the Prison Department in the Year 1963, London, HMSO, June 1964, p.3, para.13.

- 81. The overall treatment scheme is generally designed to follow the normal maturation process of the young adult and thus gradually provides for a greater degree of freedom. This often implies the young offender's progress from closed to open institutions, with the possibility of family furloughs and outside employment.
- 82. The greater emphasis on individualized treatment entails certain organizational requirements which should be viewed in the perspective of existing resources. It is generally accepted that small-sized institutions lend themselves best to individualized treatment and the development of friendly relations between inmates and staff. They also inspire a greater feeling of security than that experienced in a more impersonal setting and thus provide the necessary prerequisites for a "therapeutic community". The size of the institution must, however, be sufficiently large to allow for the organization of re-educational programmes and for the appropriate grouping of inmates. It is generally felt that a capacity of 100-150 may best suit this purpose.
- There is some controversy regarding the criteria used in grouping young adult offenders for treatment purposes. Criticisms have been levelled at systems based on the concept of "good" and "bad" behaviour or on the distinction between first offenders and recidivists. In this connexion, it is argued that in the course of treatment the inmate frequently becomes worse before getting better, and that the momentary exacerbation of emotional and behavioral disturbances may actually be a sign of progress. Furthermore, expediency may cause the more astute inmates to manifest outwardly acceptable behaviour without any fundamental inner change. Classification based on the disciplinary system where advancement depends on the manifestation of "good" behaviour is thus questionable. It is generally agreed, however, that classification should be flexible and allow for further evaluation during treatment. While no single classification system seems to suit the needs of all young adult offenders, consideration might be given to methods already attempted in the juvenile field which focus attention less on the offence than on the reasons underlying criminal behaviour.
- 84. In an effort to encourage the development of a sense of responsibility among inmates and at the same time to overcome problems created by the shortage of resources, more use has been made in recent years of open institutions. These institutions permit considerable savings by reducing the need for security measures and by allowing outdoor work.
- 85. The experience of freedom, however, is not tolerated equally well by all institutionalized young offenders, nor even by the same offender at different stages of his treatment. The transfer of absconders to more guarded institutions does not always facilitate their readjustment; such a transfer can give rise to hopelessness and further delay the development of self-discipline.
- 86. For cases requiring strict restraint, varying degrees of security are often enforced within the institution. In this way, temporary confinement need not interrupt treatment or break the personal contacts that have been formed. Some observers feel, however, that a uniform security system is essential within an institution. The "prison camp" introduced in Thailand offers a possible mid-way

solution. It maintains close ties with the main prison of which it is a complement, while at the same time offering work in an open setting for promising inmates. In Poland, the most prevalent type of treatment is in semi-open institutions, including correctional centres and agricultural colonies 33/. Within the network of correctional labour colonies and camps in the Soviet Union, a system of semi-freedom is applied for first offenders and young adults transferred from juvenile labour colonies 34/.

- 87. There seems to be a growing realization that the young offender should maintain desirable contacts and strong ties with the outside world in preparation for his post-release life. In Thailand, for example, selected young persons sent to special reformatories for hooligans are allowed to take their families with them 35/. Many of the semi-open correctional labour colonies for young adults in the Soviet Union make provision for families to live nearby 36/.
- 88. An attempt has been made in some countries to provide the inmates with a kind of "substitute parent" to give them a sense of belonging during detention and moral support upon release. In New Zealand, for instance, women members of the Borstal Association maintain contact with delinquent girls and act as "provisional mothers" upon their release. In some countries, the significance of maintaining outside ties is enhanced by the practice of involving peer-groups. In Sweden, groups of "pupils" are invited by various youth organizations to attend lectures or social gatherings; sometimes the institution itself acts as host.
- 89. Some training institutions allow their inmates to pursue their education within the community. In New Zealand, for example, institutionalized young adult offenders can attend public schools or universities. This practice could supplement and possibly replace the isolation and lack of stimulation inherent to traditional correspondence courses.
- 90. It is essential that vocational and educational programmes take account of prevailing conditions on the labour market as well as the young offender's occupational interests, in order to meet the needs of post-release life. The cooperation of trade unions and employers must be enlisted, whenever possible, to overcome community prejudice.
- 91. Another factor which has to be overcome is the young offender's reluctance to accept a permanent job upon release and to make use of the skills acquired while serving his sentence. It has been observed that the offender's reluctance to take up steady work is one of the most deeply-rooted symptoms of delinquency 37/. It is therefore important not only to teach skills and provide work opportunities, but

<sup>23/</sup> Piot. Wierzbieki. Zaktady Pototwart w Polsee (Semi-open institutions in Poland) Przeglad Penitencjarny (Warsaw) Vol. 1, No. 1, 1963, p.102.

<sup>34/</sup> Ibid., pp. 100-112.

<sup>35/</sup> Thailand, Ministry of Interior. Information on Department of Corrections. Bangkok, January 1964, p.7.

<sup>36/</sup> Wierzbieki, op.cit., p.102.

No. 3, July 1962, p.155.

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also to give offenders the incentive to make use of them. The open work camps in the United States 38/ and work colonies in the Soviet Union have the advantage not only of minimizing security restrictions but also of fostering inclination for work. When some form of therapy is provided, there is an even greater chance of lasting effect.

- 92. Specific pre-release facilities such as outside work or residence in a hostel can also be particularly conducive to easing the tension generated in the young offender by the prospect of freedom. His integration into the community will thus be facilitated at a time when he is often at a doubly transitional stage: besides going through the maturation process, he has to adapt himself to normal community life.
- 93. In Poland, for example, institutional treatment provides for outside work during the pre-release period. The institutionalized young adult offender is, for all practical purposes, equal to other workers in the collective. Identification with the workers' collective rather than the correctional institution is said to have given most encouraging results 39/. Likewise, in Sweden, "free labour permits" for work in outside industrial undertakings are granted to institutionalized young adult offenders. These measures reflect a growing awareness that institutional treatment methods must keep abreast of outside economic realities. In the past, many institutions made use of farming areas for productive occupation. Under present-day conditions, work in industrial enterprises would often be a better preparation for post-release life.
- 94. The need for follow-up action after release has led many governments to introduce a period of compulsory after-care. This, however, is often seen as an unwelcome reminder of the past and an effort should be made to overcome the association. Much research is needed in the comparative efficacy of the various types of post-release treatment.
- 95. In order to avoid the pernicious effects of imprisonment, some countries have adopted measures half-way between confinement and freedom which do not perceptibly interfere with the offender's work or education. These measures partially limit the offender's freedom and deprive him mainly of his leisure time. The most prevalent measures introduced in this respect include "attendance centres" in countries with the English and Scandinavian legal systems, "work centres" in New Zealand and "week-end detention" in Belgium. These measures have their advantages but some of them, such as week-end detention, have the drawback of relegating the young offender to prison at a time when only a skeleton staff is available. In most cases, these measures are applied for punitive and deterrent purposes and there has been severe criticism of the solitary confinement enforced and of the absence of educational or recreational facilities 40/.

<sup>38/</sup> See E.G. Lee S. Carry. Classifying Work Camps for Your'g Offenders.

Crime and Delinquency (New York) Vol. 10, No.2, April 1964, pp.166-171.

<sup>39/</sup> Preglad Penitenjarny (Warsaw), No.2, 1963.

<sup>40/</sup> P. Cornil: Une expérience pénitentiaire belge: Les arrêts de fin de semaine et la semi-détention. Revue de droit pénal et de criminologie, Vol. 43, No.7, avril 1963, p.616.

- 96. Attendance centres in the United Kingdom, originally set up for juveniles, have been extended to those in the young adult group who are first offenders and those who display poor comportment during probation. The relative success reported with this measure should encourage further experiments in the application of juvenile techniques to young adult offenders.
- 97. The work centres introduced in New Zealand entail the accomplishment of duties in hospitals, charitable institutions and homes for the aged. This work should exert a salutary effect by allowing the "hooligan" type of young adult offender to experience the satisfactions of social service.
- 98. It is increasingly being recognized that the young offender should be treated within the community whenever possible. The relative efficacy of this kind of treatment cannot be ascertained until more research has been carried out. A few efforts in this direction have been made. The California Youth Authority in the United States, for instance, is experimenting with an intensive treatment-control programme within the community. Youths are assigned at random either to a community treatment group or to an institutionalized group, so that a comparison can be made between the relative effectiveness of the two programmes. It has been concluded that "community treatment appears feasible from the point of view of the community and the delinquent youth", and that its cost is substantially less than that of institutionalization 41/.
- 99. Whereas the traditional form of suspended sentence does not require supervision, a modified form such as conditional sentence entails some measure of control. Since the offender's concept of authority is often a distorted one, some form of non-coercive supervision could have a salutary effect.
- 100. Probation has given satisfactory results in many countries, but progress in its application has been rather slow. This is partly because of the public's reluctance to accept this form of treatment  $\frac{42}{}$ .
- 101. It is of primary importance that enough adequately-trained probation officers be made available. The size of the probation officer's caseload, however, is less important than the relationship between him and the probationer. Apart from the guidance of a probation officer, the young probationer would greatly benefit from having suitable educational, vocational and recreational opportunities, as well as counselling or psycho-therapy. Experiments in group therapy for young adult probationers are reported to be yielding positive results. Attempts have been made to extend this therapy to family members who may exert a criminogenic influence.
- 102. Some countries have preferred special "probation hostels" giving "social training" by means of a sympathetic yet disciplined regime. It might be advantageous if they were to include non-delinquent young persons so as to minimize the

<sup>41/</sup> Herman G. Stark. A substitute for institutionalization of serious delinquents. A California Youth Authority Experiment. Crime and Delinquency, Vol. 9, No. 3, July 1963, pp.242-248.

<sup>42/</sup> See A/CONF.26/5.

stigmatization of an "offenders' hostel". Hostels might be established within the premises of such associations as the YMCA, consideration being given to the probationer's special needs. Adequate peer relationships are of paramount importance and efforts have been made to induce the young probationer to join youth organizations and to facilitate his acceptance by them.

103. Treatment measures must be meaningful to the young adult offender and should not discriminate according to financial means. Fines, for example, may exert a certain educational effect if graduated according to the offender's financial ability and paid in instalments by the offender himself; they would have little effect if they were to fall upon the parents. In the latter case, alternatives to fines such as the performance of special work might be considered more effective. If the work or service were performed in reparation of a specific offence, the impact on the offender would probably be greater 43/.

104. It is clear from the foregoing, that a wide range of special treatment measures is open for the rehabilitation of young adult offenders. These measures should not be regarded as beneficial to this age group exclusively; they could equally well be applied to other categories of offenders. Their effective application to the young adult group would in a sense diminish resistance to innovation and enable penal administrators to extend some of these measures to other categories of offenders. The need for imaginative innovation in treatment is urgent if rehabilitation is not to become a shibboleth of inaction and inertia. Society demands this new response, if not for the sake of the individual offender, at least in the interests of crime prevention.

<sup>43/</sup> Report of the Scottish Advisory Council on the Treatment of Offenders, Scotland, Home Department, 1960.

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